## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

| IN RE: BEXTRA AND Celebrex<br>MARKET SALES PRACTICES, AND<br>PRODUCT LIABILITY LITIGATION | ) MDL NO. 1699 ) STIPULATION AND ORDER ) OF DISMISSAL ) WITH PREJUDICE |
|---|--|
| This document relates to: MICHAEL DAVID FOSTER Plaintiff,                                 | )  |
| v.  | ý  |
| PFIZER INC. Defendant.  | ) Case No. 3:06-cv-05580-CRB   |

It is hereby STIPULATED by and between all parties, through the respective counsel and pursuant to the Federal Rules of Civil Procedure 41(a)(1), that the claims of Plaintiff Michael David Foster in this action are dismissed with prejudice. Court costs are to be paid by party incurring same.

DATED: March 25, 2009

John David Hart

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## ATTORNEY FOR PLAINTIFF

DATED: 9/14/2009

By /s/ John Dougherty

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ATTORNEY FOR DEFENDANT

IT IS SO ORDERED

Judge Charles R. Breyer

PURSUANT TO THE TERMS SET FORTH IN PARTIES' STIPULATION, IT IS SO

ORDERED.

Dates: Sept. 16, 2009